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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,275	06/14/2001	Masanori Takano	444.31.01	6829
22242	7590	07/31/2006	EXAMINER	
FITCH EVEN TABIN AND FLANNERY 120 SOUTH LA SALLE STREET SUITE 1600 CHICAGO, IL 60603-3406			TRAN, MAI T	
			ART UNIT	PAPER NUMBER
			2129	

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/881,275

Applicant(s)

TAKANO, MASANORI

Examiner

Mai T. Tran

Art Unit

2129

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>05/23/2006</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

REMARKS

Applicant's amendment dated May 15, 2006 responding to the February 14, 2006 Office Action provided in the rejection of claims 13-15, wherein claims 13-15 have been amended. Claims 13-15 remain pending in the application and which have been fully considered by the examiner.

The Examiner withdraws the objection to the drawings corresponding to Applicant's corrected drawings submission.

The Examiner withdraws the objection to the specification corresponding to Applicant's amendment.

The Examiner withdraws the objection to claim 14 for the minor informalities corresponding to Applicants' amendment.

SPECIFICATION

The amendment filed May 15, 2006 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

On page 4 of 15 of the amendments to the Specification, applicant requested to replace the paragraph beginning at page 20, line 5 with the following amended paragraph:

First, the crowd object G determines the arrangement form. ~~The rule for determining the arrangement form is arbitrary, and here~~ Here, a rule for attractively expressing the form of a crowd is used. The rule is described below.

The fact that applicant removed the above limitation has added new matter, which broadens the specification to include non-arbitrary rule.

Applicant is neither allowed to add nor to remove matter in the disclosure.

CLAIM REJECTIONS - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- **Claim 13:**

- a) recites the limitation “a predetermined arrangement rule” on page 2, line 7. The claim language is unclear. The disclosure of this limitation can be found on page 20, lines 6-8 and is susceptible to multiple meanings. First, applicant discloses “the rule ... is arbitrary”; next, applicant describes “a rule for attractively expressing the form of a crowd is used”. Is it one rule or is there more than one rule?

CLAIM REJECTIONS - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for

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patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamazaki et al, (U. S. Patent No. 6,280,323), hereafter Yamazaki.

Claim 13

A method of expressing a movement of a crowd made up of a plurality of individuals in an information processing apparatus, said method comprising the steps of:

obtaining the number of individuals which form a crowd at time t and the position of each individual, and assigning a position to each individual in the crowd at the next time $t + 1$ in accordance with a predetermined arrangement rule (col. 1, lines 45-64, col. 22, lines 37-47);

determining a destination direction with regard to a reference point of the crowd, which is a center of the positions of the individuals which form the crowd at time t (col.22, line 67, col. 23, lines 1-7, col. 25, lines 50-60);

determining the position at the next time $t + 1$ according to the position assigned in accordance with said predetermined arrangement rule and said destination direction (col. 23, lines 10-27); and

determining a movement speed based on a direction of the assigned position to the destination direction, and moving each of the individuals at the movement speed thus determined toward the position determined (col.22, line 67, col. 23, lines 1-7).

Claim 14 is a program product of the claimed method discussed above, wherein all claimed limitations have been addressed and cited as set forth above.

Claim 15 is an apparatus version of the claimed method discussed above, wherein all claimed limitations have been addressed and cited as set forth above.

RESPONSE TO ARGUMENTS

Claim Rejection under 35 U.S.C. § 102:


Yamazaki anticipates claims 13-15 as presently amended. See rejection above.

CONCLUSION

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

M.T.T
Patent Examiner
Date: 7/18/2006


David Vincent
Supervisory Patent Examiner
Tech Center 2100